

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EDDIE MITCHELL,	:	CIVIL ACTION
<i>Petitioner</i>	:	
v.	:	
	:	
ROBERT GILMORE <i>et al.</i> ,	:	No. 19-5507
<i>Respondents</i>	:	


ORDER

AND NOW, this 22nd day of August, 2023, upon careful and independent consideration of Mr. Mitchell's Petition for Writ of Habeas Corpus (Doc. No. 1), the response thereto (Doc. No. 10), Mr. Mitchell's Reply (Doc. No. 17), available state court records, the Report and Recommendation of United States Magistrate Judge David R. Strawbridge (Doc. No. 23), and Mr. Mitchell's Objections (Doc. No. 28), and for the reasons set forth in the accompanying Memorandum, it is hereby **ORDERED** that:

1. Mr. Mitchell's Objections (Doc. No. 28) are **OVERRULED**.
2. The Report and Recommendation (Doc. No. 23) is **APPROVED** and **ADOPTED**;
3. The Petition (Doc. No. 1) is **DENIED** and **DISMISSED**.
4. A certificate of appealability **SHALL NOT** issue because the Petitioner has not made a substantial showing of the denial of a constitutional right nor demonstrated that reasonable jurists would debate the correctness of the procedural aspects of this ruling. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

5. The Clerk of Court shall mark this case **CLOSED** for all purposes, including statistics.

BY THE COURT:



GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE